

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Criminal No. 09-239 JRT/FLN

Plaintiff,

v.

**ORDER FOR CONTINUANCE  
OF JURY TRIAL**

BILLY RAY WILEY,

Defendant.

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Tricia Tingle, Assistant United States Attorneys, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Manvir Atwal, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for defendant.

Trial of this case was previously scheduled for January 4, 2010. At that time the defendant requested new counsel be appointed and the request was granted by the Court. The trial of this case will be rescheduled once new counsel has been appointed.

Based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that the time from the date of this order to the date the trial begins, shall be excluded in computing the time within which the trial in this matter must commence under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(8)(A). The ends of justice will be served by continuing the trial date. This finding is based upon the Court's conclusion that the failure to

grant such a continuance would unreasonably deny the parties a right to a fair and just hearing.

Dated: January 5, 2010  
at Minneapolis, Minnesota

s/ John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge